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Daily Nation On The Web

Kenya: You Are Forgiven, Judge Tells Her Father's Killer

Kenneth Ogosia

30 January 2010

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Nairobi — She is a judge who tempers her opinions with mercy, even when it affects her personally.

Her father was brutally killed when she was a teenager more than 40 years ago, but Lady Justice Mary Ang'awa has opted to forgive his killer. During her reflection at a recent meeting to plan the 40th anniversary of the death of her father, she had no qualms about offering a pardon. "I have forgiven you," she says is the message she has for the killer of Dr James Ang'awa.

One of the pioneer medical specialists in the country, Dr Ang'awa was hit on the head with a blunt object on Tom Mboya Street by an unknown assailant.

A police inquest cleared a suspect who had been arrested although Justice Ang'awa is not convinced the decision was the right one. "My father died a painful death. Investigations and inquests were concluded. I and my brothers—Antony, Hillary, Charles and William— have climbed a steep path to success with the guidance of our mother Perez. So the best thing to do is to forgive the killer," she told the Sunday Nation.

At the time of her father's death, Justice Ang'awa was a Form One student at Limuru Girls' high school. Her family enjoyed a comfortable life; her father was establishing a reputation for his research into treatment of tuberculosis.

The family lived in high-class government quarters in Upper Hill. Among their neighbours were Dr Njoroge Mungai, former President Kenyatta's personal physician, President Kibaki, who was then minister for Finance and the late Barack Obama Sr, father of American President Barack Obama.

The family was evicted from the house three months after Dr Ang'awa's death.

"I had no idea under what circumstances my father died, and many people in my generation do not know who he was. They even imagine streets named after Ang'awa in various cities are in my honour," she said.

The interview was conducted on the sidelines of a meeting to plan the 40th anniversary of Dr Ang'awa's death to be held February 8 at the All Saints' Cathedral in Nairobi and on February 14 at the family's home in Gem District.

Justice Ang'awa offered an emotional recounting of the challenge of coping with the loss of the head of the family. At one point, she almost dropped out of school for lack of school fees as the burden of educating the children overwhelmed their mother.

The February 8, 1970, incident was the most shocking news to her as she had just joined high school. The principal called her out of class without a word of explanation and told her to pack very few clothes. She was too young and shy to ask questions. She just complied and was escorted to the gate where her uncle, Henry Odhiambo, was waiting.

She got in the car, and it was then that he broke the news of her father's death. Dr Ang'awa was the director of the national anti-tuberculosis unit at the ministry of Health. He had traversed the country as a medical officer after graduating from Makerere University in the late 1940s and after obtaining post-graduate degrees in Canada and Britain.

Dr Ang'awa had worked in Embu, Kiambu, Kilifi, Mombasa, Kakamega and Bungoma and was one of the best known members of the medical profession in the country.

During the 40th anniversary celebrations, the National TB Association will honour Dr Ang'awa. It will also be an emotional moment for Justice Ang'awa, who overcame the shock of the loss of her father to become a distinguished member of the Judiciary where she has served for 30 years.

She says her commitment to Christian values, which abhor corruption, revenge and immorality, explain her success in the Judiciary. It is on that basis that while serving as a judge in Busia, she escaped the "radical surgery" led by retired Justice Aaron Ringera to purge the bench of corrupt elements.

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"It has been tough since I was appointed a magistrate in 1980. I was posted to Kibera where the courtroom was a filthy building without water, power and facilities. The idea was to discourage me to resign like Foreign Affairs minister Moses

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Wetang'ula did. He used to be transferred every two weeks," she said.

She nearly resigned in 1981, but her bosses got wind of her plan and convinced her to stay. Although her salary was not enough to make ends meet, she had to live with her mother in Otiende Estate.

Justice Ang'awa joined the bench at a time when only three women were employed as magistrates. In 1980, no woman had been appointed to the High Court of Kenya or to the Court of Appeal. Today, a good portion of magistrates are women. There are 18 female judges and one Court of Appeal judge. Justice Ang'awa is chairperson of the Kenya Women Judges Association.

With such success, she affirms that forgiveness has made the Ang'awas to forge ahead.

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